

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

McCONNELL DORCE, et al.,

Plaintiffs,

-v-

CITY OF NEW YORK, et al.,

Defendants.

CIVIL ACTION NO.: 19 Civ. 2216 (JLR) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.


On August 30, 2023, in connection with Plaintiffs' motion regarding Defendants' assertion of the deliberative process privilege ("DPP"), the Court directed the parties to meet and confer to select ten exemplar documents as to which Defendants have asserted DPP (the "Exemplars") and to submit the Exemplars for the Court's in camera review. (ECF No. 290 ¶ 5; see ECF No. 291 at 23–24). On September 8, 2023, Plaintiffs advised the Court that they identified one document (the "Document") for inclusion as an Exemplar that the (i) Transferee Defendants previously withheld solely on the basis of DPP but as to which the Transferee Defendants (ii) have withdrawn their assertion of DPP and (iii) now withhold as non-responsive. (ECF Nos. 295 at 1; 296 at 2 n.3). Plaintiffs ask the Court to "either (i) review [the Document] in camera to assess responsiveness, or (ii) hold [the Transferee Defendants'] newly-asserted relevance objection to be untimely." (ECF No. 296 at 2 n.3).

Accordingly, by **September 12, 2023**, (i) the Transferee Defendants shall email the Document to Chambers ([Cave\\_NYSDChambers@nysd.uscourts.gov](mailto:Cave_NYSDChambers@nysd.uscourts.gov)) for in camera review as to responsiveness and relevance, and (ii) Plaintiffs shall email to Chambers any document requests

to the Transferee Defendants as to which they are able to determine that the Document may responsive.

Dated: New York, New York  
September 11, 2023

SO ORDERED.

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**